

Customer No. 24498  
Attorney Docket No. PD030108  
Office Action Date: October 26, 2009

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REMARKS

This application has been reviewed in light of the Non Final Office Action dated October 26, 2009. Claims 1-4 and 18-32 are pending in the present application. Claims 5-17 have been cancelled without prejudice. Claims 1-3 have been amended. New claims 18-28 have been added, which correspond to prior claims 5-7 and 9-16 in the Applicant's response dated 1/8/09. New dependent claims 29-32 have been added. Claims 29 and 31 further clarify that any one of the specified group of removable storage media must be available for the second data block of the second data set to be decrypted. Claims 30 and 32 further limit that the specified group of removable storage media is a pre-defined group of media, all being provided by the same provider as the first removable storage medium. New claims 29-32 are supported by the specification as filed, e.g. on page 3, lines 8-17.

No new matter has been added.

RESPONSE TO AMENDMENT

Applicant acknowledges the Examiner's indication that the Applicant's response dated 1/8/09 incorrectly marked some of the claims.

In response, as per the Examiner's suggestion, the Applicant has now cancelled claims 5-17 and presented the prior marked claims 5-7 and 9-16 as the new claims 18-28.

CLAIM OBJECTIONS

Claims 1, 5 and 10 (now numbered and hereinafter referred to as Claims 1, 18 and 22) were objected to because of informalities.

Customer No. 24498  
Attorney Docket No. PD030108  
Office Action Date: October 26, 2009

Claim 1 was amended to replace the term "key" in the term "at least two respective device independent electronic decryption key", with the term "keys".

In order to clarify that both the at least two keys refer to the 1<sup>st</sup> data set, the term "respective" in claims 1 and 18 has been replaced with the term "corresponding."

Further, the final limitation in claim 1 has been amended to read as follows:  
"decrypting the second data set using a second of said decryption keys that ~~are is~~ different from the first of said decryption keys."

Corresponding amendments were made to the independent apparatus claim 18 (previous claim 5). Further claim 18 was amended as follows: "means for decrypting said second data set using a ~~different~~ second of said decryption keys, the second decryption key being different from said first decryption key."

Claim 22 (previous claim 10) has been amended to clarify that the second data set is decrypted by the second decryption key.

Accordingly, withdrawal of the claim objections is respectfully requested.

### **§103 REJECTIONS**

Claims 1, 3, 5, 7, 10, 11, 13, 14 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0072453 to Kelly (hereinafter Kelly) in view of U.S. Patent No. 6,931,593 to Grooters (hereinafter Grooters).

Claims 2 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly in view of U.S. Patent No. 6,529,949 to Getsin (hereinafter Getsin).

Customer No. 24498  
Attorney Docket No. PD030108  
Office Action Date: October 26, 2009

Claims 4, 12 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly in view of Grooters and further in view of U.S. Patent App. Publication No. 2002/0176575 to Qawami (hereinafter Qawami).

Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly in view of Grooters and further in view of Schneier, Bruce, "Applied Cryptography", Second Edition, 1996, pp. 1-14 (hereinafter Schneier).

Applicant respectfully traverse these rejections.

In independent claims 1 and 5 (currently numbered and hereinafter referred to as claims 1 and 18, respectively) as presently amended, the second storage medium has a first data block that is public, a second data block that is specific to a specified group of removable storage media and a third data block that is specific to one particular pre-recorded removable storage medium. Further, the second data set is retrieved from the second data block, which is neither disc specific nor publicly open.

Kelly and/or Grooters fails to disclose or suggest at least the concept of the second data block that is specific to a specified group of removable storage media and that can be decrypted only if any storage medium of the specified group is accessible (e.g. in relation with some or all discs from a particular provider or studio).

Kelly involves a method making available additional content related to basic content in a secure way, wherein the basic content is distributed on a record carrier and is protected by a security mechanism employing at least one secret. Additional content is available on a server and can be downloaded by a rendering device, and is protected by the same security mechanism as the basic content, employing at least one of the same secrets used to protect the basic content. This way the rendering device only has access

Customer No. 24498  
Attorney Docket No. PD030108  
Office Action Date: October 26, 2009

to the additional content after successful authentication with a DVD drive, since otherwise it cannot learn the secret required to access the additional content.

Concerning the Examiner's analysis of Kelly, the Applicant notes that Kelly fails to disclose or suggest at least "a second data block that is specific to a specified group of removable storage media" and that is decrypted in one of the processing steps. Although Kelly's paragraph [0030] generally mentions online games, there is no disclosure or suggestion in Kelly of "group content" as alleged by the Examiner on page 6 of the Office Action, nor any disclosure or suggestion in Kelly of any specified group of removable storage media, much less of a second data block that is specific to a specified group of removable storage media, essentially as recited in claims 1 and 18.

Grooters fails to cure the deficiencies of Kelly. Grooters discloses an automatic channel generation for home network systems, which may automatically generate content channels associated with AV media being delivered on a particular device of a local network system. A menu lists various channels relating to various sources, such as the Internet or a CD player that is within the network system. The Internet channel has sub-channels such as sports, business, shopping etc. Within each of these sub-channels, there are links to web sites that fall under the various topics. Thus, only links (no AV data) are locally stored and are accessible through channels or sub-channels.

Note that claims 1 and 18 have been amended to recite a second storage medium that is within the playback device, to clarify from the broader concept of a second data source.

In one example disclosed by Grooters, an information appliance in a DVD player tries to get extended information regarding a particular DVD title from the Internet. Data

Customer No. 24498  
Attorney Docket No. PD030108  
Office Action Date: October 26, 2009

retrieved from such title-related Internet search (or presumably rather, the link information retrieved from such title-related Internet search, as mentioned above) is added to appropriate sub-channels of a DVD channel. That means that no public data is stored, because the stored data is not public any more (as it is not Internet data). Instead, the data is linked to the DVD title within the channel generation system. Further, the link information will not be decrypted, and therefore does not comprise "the second data set". The actual Internet data that the Examiner considered to be 'public' is not locally stored. Thus, Grooters fails to disclose or suggest at least an encrypted second data set, which is not stored on the first removable prerecorded storage medium, but rather on a second storage medium within said playback device, essentially as claimed in claims 1 and 18.

Further, in Grooters' system, a user may define preferences such as "action movies", for which separate sub-channels will be created. Under the sub-channel "action movies", there are sub-sub-channels that list the various movies previously viewed by the user (see e.g., col.8, lines 5-12). Thus, no explicit "specified group of removable storage media" is defined. Instead, in Grooters, the user may specify a genre and assign movie titles to the genre later. The members e.g., of the genre "action movies" are not specified, since the assignment is based upon the user's choice. On the other hand, Grooters' disclosure of a sub-channel named "action movies" with a sub-sub-channel named "James Bond" and a sub-sub-sub-channel with "related information" does not relate to a specified group of removable storage media. Thus, Grooters fails to disclose or suggest at least "a second data block that is specific to a specified group of removable storage media", essentially as claimed in claims 1 and 18.

Customer No. 24498  
Attorney Docket No. PD030108  
Office Action Date: October 26, 2009

In fact, even assuming *arguendo* that Grooters could be combined with Kelly, the combination teaches away from the present invention, in that such a combination actually teaches one skilled in the art to **limit access to additional content** (*see* Kelly, paragraph [0050]). In contrast, the present invention allows distribution and storage but limits only the decryption of additional content. For the present invention, general file access to the additional content is possible, independent from the removable disc being available or not (*see e.g.*, page 4, lines 18-22: “encrypted supplementary data can be distributed through any channel ... and can be locally stored, but can only be decrypted and used when the decryption key, and thus the respective removable storage medium, is available.” and page 5, lines 4-6: “decoding and usage of any supplementary data ... is blocked”).

For at least the foregoing reasons, claims 1 and 18 are believed to be patentable and nonobvious over Kelly and/or Grooters. Additionally, claims 3, 7, 10, 11, 13, 14 and 16 (now listed herein as claims 3, 20, 22, 23, 25, 26, and 28) depend on claims 1 and/or 18 and are thus believed to be patentable and nonobvious over Kelly and/or Grooters for at least the reasons stated above.

The rejection of claims 2, 4, 6, 9, 12 and 15 (now numbered and hereinafter referred to as claims 2, 4, 19, 21, 24 and 27) is based, in part, on the contention that Kelly and/or Grooters disclose or suggest the features of claims 1 and 18, from which such claims respectively depend. However, in view of the above amendments and arguments, it is clear that the combination of Getsin, Qawami and/or Schnier with Kelly and/or Grooters is legally deficient, since, at the very least, as explained above, neither Kelly nor

Customer No. 24498  
Attomey Docket No. PD030108  
Office Action Date: October 26, 2009

Grooters disclose or suggest the features of claims 1 and 18, from which claims 2, 4, 6, 9, 12 and 15 depend.

Furthermore, with respect to Getsin, note that Getsin discloses only disc-specific access to remote storage (see Getsin page 28, lines 39-40, which recites *inter alia*: “customers who have purchased a particular DVD”).

Accordingly, withdrawal of the 103 rejections is respectfully requested.

Customer No. 24498  
Attorney Docket No. PD030108  
Office Action Date: October 26, 2009

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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to Applicant's representatives Deposit Account No. 07-0832.

Respectfully submitted,

Dated: 2/15/10

By: *Paul P. Kiel*  
Paul P. Kiel  
Registration No.: 40,677

**Mailing Address:**

**THOMSON LICENSING LLC  
PATENT OPERATIONS  
TWO INDEPENDENCE WAY  
P.O. BOX 5312  
PRINCETON, NJ 08543-5312**